

Regular Meeting of the Sandy Springs City Council was held on Tuesday, November 17, 2015, at 6:00 p.m., Mayor Rusty Paul presiding.

INVOCATION

Reverend Linda Whitmire, Sandy Springs Christian Church, offered the invocation.

CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:03 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment of the meeting are required to complete a public comment card. The cards are located at the back counter and need to be turned in to the City Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Paul present

Councilmembers: Council Member John Paulson, Council Member Ken Dishman, Council Member Graham McDonald, Council Member Gabriel Sterling, Council Member Tibby DeJulio, and Council Member Andy Bauman were present.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance.

APPROVAL OF MEETING AGENDA

1. **15-429** Add or remove items from agenda

Motion and Vote: Council Member DeJulio moved to approve the Meeting Agenda for November 17, 2015. Council Member Paulson seconded the motion. The motion carried unanimously.

CONSENT AGENDA

2. **15-430** Meeting Minutes
 1. November 3, 2015 Regular Meeting
(*Michael Casey, City Clerk*)

Motion and Vote: Council Member Dishman moved to approve the Consent Agenda for November 17, 2015. Council Member McDonald seconded the motion. The motion carried unanimously.

PRESENTATIONS

3. **15-431** Presentations
 1. Recognition of Chick-fil-A located at 5925 Roswell Road (Hammond Springs Shopping Center)

Chief of Police Ken DeSimone asked Lawson Bailey to the front.

Mayor Rusty Paul stated on behalf of the Fire Department and Police Department he would like to express the City's sincere appreciation for the kindnesses and support Chick-fil-A showed the City's emergency responders. This kindness was shown during the multi-vehicle interstate accident on September 25, 2015. Their thoughtfulness helped make a complex situation a little easier to manage. He presented Chick-fil-A with a certificate of recognition.

Chief of Police DeSimone stated on September 25th there was a major wreck in the City. He referenced a photograph of the accident. Two tractor trailers, a tow truck, and an SUV collided at GA400 and I-285. Rarely does a Police Chief have to call the Fire Chief, but he did this time, because he had never seen an accident such as this. Fire Chief Sanders was already on the scene. There were a lot of firefighters and police officers working the accident. During this time, a police officer went to Chick-fil-A to pick up food for City personnel working the accident. The officer was given hundreds of chicken sandwiches. When the police officer went to pay for the sandwiches, Chick-fil-A management would not accept the payment. That is the kind of businesses and people that are here in Sandy Springs. He thanked Mr. Bailey for the kind donation.

Mayor Paul stated one thing he continues to hear about from the City's public safety personnel is the tremendous amount of support they feel and receive from the community. He thanked the Police and Fire Departments for all they do.

2. Georgia ITS Recognition Award to City for Perimeter Traffic Operations Program (PTOP)

Yvonne Williams PCID stated this is the highest award given for the year, which is for the PTO Program in Sandy Springs, Brookhaven, and Dunwoody. The award is for reducing congestion and improving mobility with a multi-jurisdictional partnership. She presented the award to Mayor Paul.

PUBLIC HEARINGS

City Clerk Michael Casey read the rules for the Public Hearings segment of the meeting.

Rezoning

4. **15-432 201501835** – 0, 6450, 6500 Glenridge Drive (aka Glenn West), to rezone from R-2 to CUP for a residential development, with a use permit for recreational fields (Sec. 19.4.36) and four (4) concurrent variances

Senior Planner Catherine Mercier-Baggett stated this request is from Ashton Woods and Mount Vernon Presbyterian School, Inc. It is a request to rezone from R-2, a single family dwelling district, to CUP, Community Use Planned District, with a use permit for recreational fields and four concurrent variances. The proposed development includes forty-nine single family homes, fifty townhomes and recreation fields. The applicant and surrounding neighborhoods agreed on conditions, ten of which are incorporated in the conditions recommended by staff. The agreement included provisions for loud speakers adjacent to the residential property, which is not allowed by right of the use permit. The Planning Commission held a special called meeting yesterday to hear concurrent variance number 4, in addition to the regular meetings on September 17th and October 15th. The Planning Commission and staff recommend approval conditional of the rezoning from R-2 to CUP and approval of the use permit for recreational fields and also approval of concurrent variances 1, 2, 3, and 4.

Carl Westmoreland, representative of the applicant, stated this property is over thirty-six acres that fronts on Glenridge. The property is adjacent to the existing campus of Mount Vernon Presbyterian

School, which is why the use permit is for the extension and expansion of their recreational fields. The property has been owned by Tom and Louise Glen, who have been very involved and cooperative in the agreements the applicant has reached with the neighborhood groups. The applicant met with the neighborhood groups, Matt LaMarsh, and Trisha Thompson. The applicant was able to agree on conditions just before the Planning Commission meeting in October. The Commission recommended approval based on those conditions and staff has included them in the conditions this evening. That agreement reduced the residential density and townhomes in the residential portion. It also eliminated one entrance on Glenridge. The conditions also address the streetscape on Glenridge and eliminated one of the variances having to do with the property and proximity of the school to the Mount Vernon Woods neighborhood. The condition reduced the setback and buffer variances that were requested by half. The loud speaker variance is something that did not have time to be filed and advertised for the first Planning Commission meeting. He appreciates the Commission having a special called meeting. In the staff report are all but four conditions of the agreement. The other conditions the neighborhood feels the City cannot enforce. To the extent the conditions are not included, there will be a separate agreement with the neighborhood associations to ensure those conditions are met. Item 15 on the list was something that came up later and he is not sure if that has been submitted to the City.

Matt Busher, Vice President of Acquisitions for Ashton Woods, stated he would like to recognize those that helped get this application here this evening. He thanked Matt LaMarsh and Trisha Thompson. What was asked of them was to get an elected representative of the adjoining communities to represent the four to five neighborhoods. Mr. LaMarsh helped place the concerns of the neighbors onto one page in order to be able to work through those concerns. This process eased the tension that is natural in these types of rezonings. This allowed for a reasonable debate among all involved that included compromise. He recognized Tom and Louise Glenn. Any reduction of density that is levied against the developer is also levied against the homeowner. It was very important to them that the applicant brought something forward where the neighbors agreed. Mount Vernon school played a huge role in helping the CUP become one parcel. He thanked staff for how they helped with the process.

Brett Jacobsen, Head of the School for Mount Vernon Presbyterian School, stated this year is the school's 45th year as an educational community and the 10th year on the Glen Campus. Through the support of Tom and Louise Glenn the school has been able to provide a rich educational experience for students. It is a point in time where the school needs to add to the footprint. Mr. and Mrs. Glenn are willing to sell the property and this is a great opportunity for the school. He worked with Ms. Thompson and Mr. LaMarsh through many meetings and making the adjustments necessary to come to an agreement.

Matt LaMarsh, 485 Heritage Way, stated the City wanted a project that everyone will support and the proposed plan is it. There were a lot of negotiations and most of the items that the neighbors want were included in the plan. The buffer was a big issue for the neighbors. Overall, it will be a fantastic project. The residents of Mount Vernon Woods, Ashton Woods, and the school have all agreed they do not want interparcel access. He asked that Council support no interparcel access.

Brad Gold, 655 Glenridge Close Drive, stated he resides in the Glenridge Close subdivision. He supports the rezoning application. He asked that as a condition of rezoning approval of Glen West he asked that the development be completely non-gated. Non-gated will promote a sense of community and inclusion for all neighborhoods along Glenridge Drive between Mount Vernon Highway and Abernathy Road. This will also make the entire area pedestrian friendly. Non-gating will prevent backups on Glenridge Drive from multiple cars trying to get in the gates and those trying to turn around in the small drives before the gates, particularly during peak traffic hours. He thanked Council for considering this request. Mr. Busher has been aware of the non-gating concern as far back as the October Planning Commission meeting.

Mr. Westmoreland stated Mr. Busher can address the gate issue. Everything else has been worked out in the conditions. For anything that is not included in the conditions, the applicant will make an agreement with the neighborhoods.

Mr. Busher stated he can add the condition that there be no gates around the community. The reason why he wanted the flexibility is that often times there is not a full engineering design at this stage. He could not tell if the property would allow for gating. Changes were made with the way the parcels interacted, so that is the reason why he hesitated to answer the question.

Mayor Rusty Paul called for public comments in support of or opposition to the application. There were no public comments.

Mayor Paul closed the public hearing.

Motion and Second: Council Member Sterling moved to approve Agenda Item No. 15-432, 201501835 – 0, 6450, 6500 Glenridge Drive (aka Glenn West), to rezone from R-2 to CUP for a residential development, with a use permit for recreational fields (Sec. 19.4.36) and four (4) concurrent variances, and with Staff Condition 2.e. revised to read, "The loud speakers surrounding the recreational fields shall be directed away from the single family area in the Mount Vernon Woods subdivision and the Ashton Woods residential development."; with an additional condition 3.i. to read, "Pedestrian connectivity between the school's property and residential portion of the development will not be required."; and with an additional condition 3.j. to read, "The access to roads, paths and sidewalks internal to the property shall not be gated". Council Member Dishman seconded the motion.

Staff conditions:

1. To abide by the following:
 - a. To the site plan prepared by Christopher Planning & Engineering, dated 09/30/2015 and received by the Department of Community Development 10/01/2015.
2. To restrict the use of the subject property as follows:
 - a. A minimum of ten (10) acres shall be dedicated to recreational fields;
 - b. A minimum of forty-nine (49) detached single-family houses, with the balance of dwelling units to be provided as townhouses;
 - c. A maximum of 99 dwelling units total;
 - d. The use of the recreational fields shall be limited to daylight hours, and nighttime security lighting shall be directed away from adjoining residences;
 - e. The loud speakers surrounding the recreational fields shall be directed away from the single family area in the Mount Vernon Woods subdivision and the Ashton Woods residential development.
3. To the following site development standards:
 - a. The disturbance of the 50-foot stream buffer shall be limited to a maximum of 6,000 sq. ft., and said area shall be replanted with native plant species. A planting plan that follows the Administrative Standards of the Tree Conservation Ordinance shall be approved by the City arborist before a land disturbance may be issued;
 - b. The pedestrian paths, with the exception of the sidewalk following the western property line, shall be paved with pervious materials;

- c. The 37.5-foot buffer along the western property line shall be supplemented with plantings to provide 100% visual screening. A planting plan that follows the Administrative Standards of the Tree Conservation Ordinance shall be approved by the City arborist before a land disturbance may be issued;
- d. Green lantern style street lights will be used in the streetscape along Glenridge Drive;
- e. The current sidewalk along Glenridge will be maintained and brick pavers will be added, perpendicular to the existing pavement as allowed by field conditions;
- f. The entire property frontage on Glenridge Drive shall be supplemented with an interior easement of 20' in width, planted with evergreens, and shall be maintained by the future homeowner's association;
- g. No more than two curb cuts shall be approved on Glenridge Drive
- h. A six-foot, black vinyl-coated chain-linked fence shall be installed along the western and northern boundary lines adjacent to the Mount Vernon Woods and Gates at Glenridge properties.
- i. Pedestrian connectivity between the school's property and the residential portion of the development will not be required;
- j. The access to roads, paths, and sidewalks internal to the property shall not be gated.

Council Member Gabriel Sterling thanked everyone that was involved in the process. Mr. LaMarsh noted that he was asked to meet with the Planning Commission again. This is a very good agreement and will be a very good development with a great learning institution. The conditions that have been added and negotiated will work well. Everyone gave some, which includes the sellers, developer, school, and the City. This is a way for the City to be proud of how the system works. The City's new zoning process that will be put in place will help out with the rezoning process. When all involved work together for an end goal that is what the City likes to see. He is very happy with the outcome and hopes there will be a unanimous vote for this item tonight.

Council Member Ken Dishman stated he has been involved with learning about this rezoning case for several months and he has seen it evolve. He commends everyone involved and their spirit of cooperation and collaboration on this. In particular he thanked Tom and Louise Glenn not just for what they did to facilitate the project, but for everything they have done for this community and all they continue to do.

Vote on the Motion: The motion carried unanimously.
Ordinance No. 2015-11-35

5. **15-433 201501867** – 45 Northwood Drive, to rezone the property located at 45 Northwood Drive from R-1 (Single Family Dwelling District) to TR (Townhouse Residential District) for the development of sixteen (16) townhome units

Senior Planner Catherine Mercier-Baggett stated the applicant for this rezoning case is Rockhaven Homes LLC. This is a request to rezone from R-1 to TR with three concurrent variances that relate to minimum yards. The proposed development would include sixteen townhomes. This case was heard before the Planning Commission on September 17th and October 15th, at which they recommended deferral and to remand the case. Staff recommends denial of the rezoning request and denial of concurrent variances 1, 2, and 3.

Nathan Hendricks, representative of the applicant, stated a property located north of the subject property was approved for TR at 8.5 units to the acre. To the northeast of the subject property there is an A-1 development with a density of 19.49 units to the acre. To the east there is an apartment zoning at a

density of 13.9 units to the acre. Many know of the old Copeland Road scenario and all who have tried to get that area cleaned up. Given the commonality of the property directly across the street, it would give the opportunity for a cleaned up gateway to the entrance of the City with compatible zonings on both pieces of property. Under the Comprehensive Land Use Plan, the property shows two to three units to the acre. It is very important to look at the south property line. If this property was further south along Lake Forrest Drive, he would understand the recommended land use plan. Because of noncompliance with the land use plan, staff recommends denial of the application. The Planning Commission recognizes the troubling state the property is in, caught between what the land plan suggests and the strip from Lake Forrest to Roswell Road. The applicant revised the plan from 23 townhomes to 16 townhomes with a density of 7.73 units per acre.

Mayor Rusty Paul called for public comments in support of the application. There were no public comments. Mayor Paul called for public comments in opposition to the application.

Amy Jones, 5640 Lake Forrest Drive, stated that as a realtor part of her everyday life is helping her clients know how to protect their real property rights. She represents many who share her view in support of denial for this rezoning request. There is a petition in the staff report as well as letters of opposition signed by her long time neighbors who have invested in their homes and desire to see the neighborhood protected and the character maintained. The property is located within the bounds of the protected neighborhood. The protected neighborhood character areas are typically represented by detached single family homes with densities ranging from less than one unit per acre to three units per acre. The proposal is not consistent with Chapter 1 of the City's Comprehensive Land Use Plan that calls for the protection of existing neighborhoods and stipulates that limited infill development should replace tear downs with single family homes with comparable densities. The request to reduce perimeter setbacks would create a use that would not be suitable in view of the single family homeowners. The future land use map designates areas of residential with two to three units per acre. This results in a maximum density of 6.2 units per acre. The proposed density of 7.73 units per acre would increase the designation by more than twenty-five percent. In the report staff reviewed a newly submitted site plan. It was created after the last Planning Commission meeting. The new site plan has four less units than what was originally submitted. The new site plan is still recommended for denial by staff. This should be evidence that any request for townhomes at 45 Northwood Drive is inappropriate. She supports staff's findings for denial of the rezoning application and concurrent variances. She asked that Council vote for denial.

Pamela Jeter, 5680 Lake Forrest Drive, asked that Council agree with staff for the denial of the Rockhaven Homes application to rezone the 2.7 acres to TR from R-1 to build 16 clustered townhome units. The proposed development is not consistent with the Comprehensive Land Use Plan policy. The policy states the property is to remain low density with spacious setbacks. The future land use plan designates the area as R-2-3 with two to three units per acre. The subject property is located within the bounds of a property neighborhood area with very large single family lots. The cluster of townhomes would be a visible disruption of the landscape. What would be lost is the noticeable gateway of Lake Forrest Drive. The proposed project would present itself as an abrupt intersection with adjoining townhomes slammed up against Lake Forrest Drive creating an appearance of a large wall of attached townhome clusters. There are five major north/south residential corridors that are critical to protect in Sandy Springs to maintain their character as single family detached. These areas are Northside Drive, Long Island Drive, High Point Road, Northland Drive, and Lake Forrest Drive. Sandy Springs protection of existing neighborhoods stipulates that the teardowns result in replacing with single family detached homes of compatible densities. Additionally, there is a danger in potentially setting a precedent for the rezoning of other nearby large acreage properties on Lake Forrest Drive. She supports staff's finding of denial and asks Council to vote for the denial.

Sheridan Lewis, 5580 Lake Forrest Drive, stated he is a principal engineer with Delta. He looked at the proposal from a data standpoint. He transits this intersection every day. He requested traffic accident

reports from the City for this area. He received data from January 2014 to June 2015. There have been ten accidents during that time at this intersection. All of the accidents occurred during rush hour traffic. That is an average of forty-nine days between each accident. That is a high accident rate. The proposed development will make the situation worse and the proposal does not provide additional ways of resolving the traffic problem. He requested that Council deny the rezoning application and the concurrent variances.

Ronda Smith, 76 Long Island Place, stated she is on the board of the Sandy Springs Council of Neighborhoods and she is speaking on its behalf. Staff recommended denial of the original site plan of 20 townhomes and the plan for 16 townhomes. This project was heard at the September and October Planning Commission meetings. It was deferred at the September meeting without being heard and there was no opportunity for public comment. At the October Planning Commission meeting the Commission requested deferral of this item back to them. The Commission's purpose in October was to give the applicant and neighbors time to discuss options for the proposed development. From the September meeting to the October meeting there was no effort made by the applicant to engage neighbors that were clearly in opposition at the meeting on September 17th. Those in opposition were at the meeting in September, but were not afforded the opportunity to speak due to the deferral decision being made without hearing the application. Many of those that attended the meeting signed up at the CZIM and CDRM meetings so their contact information was available to the applicant. There were some that submitted letters of opposition for that September meeting. There was no engagement by the applicant until October when the application and variance were recommended for denial. That engagement was not truthful because there was a clear lack of desire by the applicant, who was not receptive to any other development for the parcel. The Council of Neighborhoods supports the Lake Forrest neighbors and their request for denial of the application.

Brad Hughes, Rockhaven Homes, stated from Northwood Drive to Roswell Road there are C-2 commercial properties and apartments. This is a perfect area for transitional zoning stepping down from commercial to townhomes. This is an ideal location for townhomes at seven units to the acre. He does not understand how some believe the townhomes are not a perfect fit for the property. There is a seventy-five foot stream buffer on the back of the property that cannot be accessed and will remain wooded. That area will help screen and buffer the development. The Comprehensive Land Use Plan is a guide for all to go by and this property was missed when the plan was created. There is a twenty foot right-of-way for the property, and Transportation is asking for an additional twenty feet and also a twenty foot setback. That will be sixty feet off of Lake Forrest Drive, which is a large setback. There will be a forty foot right-of-way. He does not understand why some think the development will be right on the road. With the way the topography is in the area, the property drops from Northwood. The property will be ten to thirteen feet below Lake Forrest Drive, which will also help subdue the mass of the units. The height of the units will be the same as if a single family home were constructed. After he met at Mr. Hendricks office with the neighbors he looked at other options from a marketing standpoint and there are none. This property does not lend itself to a detached single family home. He requested that Council approve the rezoning request.

Mr. Hendricks stated those that commented are in the immediate area of the property. There was a CZIM meeting that was held on June 23rd and other than the applicant and the owner of the property there was a total of four people that signed up and attended. Another CZIM was held on June 28th and there was a total of six people that signed up, other than the owner and applicant and him. On August 27th the CDRM had a total of six non-applicants that attended the meeting. For the meeting held at his office there was a total of four non-applicants that attended. This is affirmation the applicant tried working with the neighbors. This piece of property is the odd stamp out. It is very important in the evaluation of this property to look at the continuum of the south property line where the property is contiguous, and to the east to Roswell Road. It is not reasonable or practicable to place single family homes on the property. A

townhome development lends itself to this property. He respectfully requested approval of the application.

Mayor Paul closed the public hearing.

Motion and Second: Council Member Bauman moved to deny Agenda Item No. 15-433, 201501867 – 45 Northwood Drive, to rezone the property located at 45 Northwood Drive from R-1 (Single Family Dwelling District) to TR (Townhouse Residential District) for the development of sixteen (16) townhome units. Council Member DeJulio seconded the motion.

Council Member Andy Bauman stated he heard from several of the neighbors. He does think at some point an entrance at Northwood might be worthy of discussion. Northwood would benefit from a plan and at some time there will be redevelopment on this property. The City is in the second quarter of the land use plan review process. It should be discussed whether this parcel was missed in the Land Use Plan. He honors the staff's recommendation. If this project had come as a consensus zoning, then that should carry through to the Land Plan process, but that has not occurred in this case. There was effort on both parties, although there was disconnect. At this time he supports denial of the application.

Council Member Tibby DeJulio stated his previous office used to be located near the subject property. Mr. Hughes stated the property is not conducive to having a single family home or homes on this property. He has known about this property for thirty or more years and it has always had single family homes located on it. He asked why this property is not conducive to single family homes now. He understands the property is deteriorating.

Mr. Hughes stated there could be a single family home on the property and possibly two or three. For someone to build a house and have a family, this is not the most viable and marketable location. He does not know anyone that would want to live in an \$800,000 to \$900,000 home on a corner lot next to apartments. If Northwood did not exist and the property fronted on Lake Forrest Drive single family homes, the property would be fine. With the frontage being on Northwood and the apartments being located nearby it is a completely different property.

Council Member Gabriel Sterling stated he echoes what Council Member Bauman stated. Mr. Hendricks referred to this property as being missed in the Land Use Plan. He doubts this property was missed and was done very intentionally to defend from anyone that pushes against single family homes on this property. The City is in the process of reviewing the Land Use Plan. He encourages the neighbors to look at this property. It is a very difficult time to have this property redeveloped as single family homes, unless there is a redevelopment plan for all of Northwood. It does make sense to do a step down in density. In this case, he does not think it is the right time for this redevelopment. There needs to be more public input of what to do with this very important corner property. This is a protected neighborhood. If the Land Plan states two to three units per acre, then it should remain at that. He supports denial of the application at this time.

Council Member Ken Dishman stated he struggled with this application because it is a transition area. However, when he looked at what is being proposed and he drove down Lake Forrest Drive, the timing is not right for the proposed type of development. This parcel needs to be assembled with Highland Springs. Redevelopment facing Northwood is much more desirable.

Council Member Bauman stated that intersection is problematic on many levels. The traffic backs up to his neighborhood for about three quarters of a mile to a traffic light at Hammond Drive. He asked that staff look at the traffic at this intersection.

Transportation/Traffic Unit Manager Brad Edwards stated this intersection is in the City's Intersection Improvement Program (IIP) program and it is scored every year. There was signal warrant analysis done about two years ago and it was off from the required number of movements. The traffic signals are rescored every year.

Council Member Bauman stated that whole area has difficult traffic at times.

Vote on the Motion: The motion carried unanimously.

Zoning Modification

6. **15-434 201502259** – 8725 Dunwoody Place, Atlanta Country Day School, Request to modify conditions 1.b and 1.c of Use Permit U11-001/CV11-003 to allow an increase from nine (9) to fifteen (15) classrooms, from 5,100 square feet to 8,406+/- square feet (the entire building), to allow assembly areas of up to 1,000 square feet on each floor, and to allow for an increase in the number of students from 48 to 100

Senior Planner Catherine Mercier-Baggett stated the applicant for this case is the Atlanta Country Day School. This is a request to modify conditions 1.b and 1.c of Use Permit U11-001/CV11-003. The case was presented at the CZIM on September 29th. Staff recommends denial of the modification of zoning conditions 1.b and 1.c.

Jeff Xie, Owner of Atlanta Country Day School, stated he purchased the school in May 2015 with a plan to expand the school and add a sixth grade program. An application was submitted to City staff to add a lower level to the school. The building has two levels. The school currently uses the upper level. In 2011, the school was granted a special use permit for 48 students. He wants to bring more quality students to the community. To his surprise a City staff member denied the application, because the school was not in compliance with the use permit and due to insufficient parking. He asked that Council reconsider the application. The school was not in compliance with the use permit, because the person that was in charge of the compliance issues passed away in December 2014. When he first purchased the school he could not locate the records. He submitted an affidavit to staff that they are complying with the maximum number of students. He will guarantee that this condition is complied with from here on out. Regarding the parking spaces, he would like the school manager, Janan Cohen, to speak about this concern.

Janan Cohen, Head of School for Atlanta Country Day School, stated since 1977 the school has enjoyed serving the neighborhood, students, and parents in the Sandy Springs area. The building is 8,400 square feet in size with two levels. The school occupies only the first floor of about 5,100 square feet. The school has a special use permit to allow for 48 students. Many of the students are 10th through 12th graders. The new owner wishes to expand the school into grades 6 through 9. These are grades where students will not be driving to school. Parents will be dropping these students off. The other students usually do drive. The new owner is looking into providing transportation by purchasing a bus for the school. The owner is waiting on approval to accept international students. Those students will be brought by bus to the school. The request is for an increase in enrollment, but that does not mean that 100 students will be driving cars to the school. In the years the school has been located at the North River Square they have not had any incident with the students. One of the other tenants in the area is a chiropractor who uses three parking spaces at one time. There are currently many parking spaces for the school that are not in use. If the request is approved, 8,400 square feet of office space will be used. A majority of the space will be used for middle school students, which will not impact the parking.

Mark Cox, Incoming Head of School for Atlanta Country Day School, stated the school is a 7th through 12th grade college preparatory school. Currently, the enrollment of the school is twenty-five

students in the 7th through 12th grades. As Ms. Cohen mentioned, the enrollment focus will be on the lower grade levels. The school has been in the twenty-five to fifty student range in terms of enrollment. The school has been at this location for over ten years. There is no anticipation of a mass surge in enrollment, but he would like to see twenty percent growth per year. The school is not using the parking that the school has available. Of the sixteen students that are currently enrolled that are driving age only about six to seven students drive cars to school. If the student enrollment is increased to 100, many wonder what the traffic congestion will bring to the area. One way to alleviate traffic congestion is to stagger the student arrival times for grades 6 through 8 and grades 9 through 12.

Mayor Rusty Paul called for public comments in support of or opposition to the application. There were no public comments. Mayor Paul close the public hearing.

Motion and Second: Council Member Dishman moved to approve Agenda Item No. 15-434, 201502259 – 8725 Dunwoody Place, Atlanta Country Day School, Request to modify conditions 1.b and 1.c of Use Permit U11-001/CV11-003 to allow an increase from nine (9) to fifteen (15) classrooms, from 5,100 square feet to 8,406+/- square feet (the entire building), to allow assembly areas of up to 1,000 square feet on each floor, and to allow for an increase in the number of students from 48 to 100. Council Member Paulson seconded the motion.

Staff conditions:

1. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated May 6, 2011. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
 - b. To locate a Private School, with associated accessory uses, on Tract B (a.k.a. 8725 Dunwoody Place/Tax Pin# 06 036800070055). The aforementioned Private School shall operate out of fifteen (15) classrooms and occupy a total of 8,406+/- square feet (the entire building) with the largest assembly area having 1,000 square feet on each floor.
 - c. To restrict the total number of enrolled students to no more than 100.
 - d. The applicant shall, by August 15th of every year, provide the City an annual affidavit detailing the total maximum enrollment for their academic year, subject to the approval of the Department of Community Development.
 - e. The subject Private School shall not have an outdoor playground.
 - f. The subject Private School shall not sequester common area for exclusive use in violation of the restrictive covenants of the North River Square Association, Inc.
2. To the owner's agreement to provide the following site development standards:
 - a. To reduce the zoning regulations to the extent necessary for all the existing non-conforming (grandfathered) structure(s) to comply in accordance with the site plan received by the Department of Community Development dated May 6, 2011.

Council Member Ken Dishman stated the subject property is located in his district. He wants the school to be successful. His wife is an administrator at a private middle school, so he knows there is a tipping point where there needs to be a certain number of students enrolled at the school in order to have appropriate educational opportunities and extracurricular activities. He does not want to go against a staff recommendation whenever he can avoid it. In this circumstance, the school has to follow the law and the guidelines. Council has the opportunity to see the grey areas and to see where an exception is warranted.

If the school were to grow to the point where parking is an issue that would be a great problem to have. Not a single one of the nearby tenants or local neighbors are in opposition. He does not see why approving this application will cause issues. If the parking does cause issues ten years from now, the applicant has the ability to mandate who parks at the school. He is comfortable approving this application.

Council Member John Paulson stated the issue is not demonstrating compliance with the existing use permit. He asked if the correct form was not completed.

Senior Planner Mercier-Baggett stated the noncompliance is only in regards to the affidavit that is a condition of the use permit issued in 2011.

Council Member Paulson stated the parking is already underused. One way to keep the parking from getting too high is to limit the number of students who can park on the site. He asked if limiting the number of students that can park on the site could be added as a condition.

City Attorney Wendell Willard stated that would be hard for the City to enforce.

Council Member Gabriel Sterling asked how many parking spaces the school is allowed at this time.

Senior Planner Mercier-Baggett stated the school has 45 parking spaces.

Council Member Sterling stated the school can decide for themselves how many students will be allowed to park on site.

Council Member Andy Bauman stated the question is where the overflow parking would go.

Council Member Sterling stated if the parking is a problem in the future, the applicant will have to police that issue and give away parking stickers. He is inclined to support Council Member Dishman's motion.

Mayor Paul asked about the school.

Ms. Cohen stated Atlanta Country Day School is a SACS accredited college preparatory private high school. Students that attend the school may have been in public schools where they were not getting their homework done. They attend this school and the faculty makes sure they get their homework done. The school also serves students who do not like a lot of strict rules and regulations or that do not want to wear uniforms. The school is a relaxed family type setting. The school is a very positive environment. Students respect each other and there is no tolerance for bullying at the school. Students enjoy attending school because there is no drama. The school is receiving calls each day from middle school student's parents. She invited the Mayor and Council to stop by the school one afternoon and join them for lunch. The school has a private caterer who brings food for lunch every day.

Council Member Sterling stated on the agenda documents it stated there are forty-five parking spaces with an additional twenty-eight parking spaces for student parking. That is seventy-three parking spaces total. That is more than adequate for this size of school.

Senior Planner Mercier-Baggett stated the additional twenty-eight parking spaces are located on a future building pad. There is no certainty those parking spaces will always be available.

Vote on the Motion: The motion carried unanimously.
Ordinance No. 2015-11-36

UNFINISHED BUSINESS

Take From the Table

Motion and Vote: Council Member Sterling moved to take Agenda Item No. 15-405.2 from the table. Council Member Dishman seconded the motion. The motion carried unanimously.

7. **15-405.2** Memorandum of Understanding (MOU) By and Among the Cities of Dunwoody, Georgia and Sandy Springs, Georgia and Brookhaven, Georgia and Central (DeKalb) Perimeter Community Improvement District and Fulton Community Improvement District for the Georgia Department of Transportation's Perimeter Traffic Operations Program to be Administered within the Boundaries of the Central (DeKalb) Perimeter Community Improvement District and Fulton Perimeter Community Improvement District (PCIDs)

Assistant City Manager Bryant Poole stated at a previous meeting Council requested additional information on this agenda item.

Transportation/Traffic Unit Manager Brad Edwards gave a Perimeter Regional Transportation Program PowerPoint presentation. The questions that came up at the last meeting were related to how the systems work, what the City has, what is in place in the other cities, and how the systems interact with the end result that is desired.

Council Member Gabriel Sterling stated according to the existing system at PCID, Sandy Springs provides services and communication for all 100 signals in the PTOP area. Since there is very little fiber on that side, he asked how the traffic signals are communicating now.

Transportation/Traffic Unit Manager Edwards stated everything on the network has fiber communication. That part has fiber, but what does not have fiber in Dunwoody is the outlying area.

Council Member Sterling asked if the fiber extends to Perimeter Center West.

Transportation/Traffic Unit Manager Edwards stated he is not familiar with Dunwoody's fiber network. He was told by a staff member that fiber does extend to that area.

Council Member Sterling stated it would be helpful at some point for Council to see the entire fiber network map to know where there may be holes and areas to consider for improvement. The presentation says the City will be going to 27 SCOOT controls. He asked if that will be level 3 or 4.

Transportation/Traffic Unit Manager Edwards responded that will be to level 4. The City will do both levels. The City will install level 3 first, because it is responsive and that becomes the fail-safe, and then an adaptive network will be added on top of that. The level 3 needs to be in place just in case level 4 fails. This has been done on Roswell Road, Johnson Ferry Road, and Riverside Drive.

Council Member Sterling stated in some ways he feels it is redundant for Dunwoody to have a TMC and the City to have a TMC. If both cities are using the same TMC and we all affect one another and both use the same 9-1-1 system, it seems odd for each city to have its own TMC. He asked if the City is getting rid of video detection throughout the CID altogether.

Transportation/Traffic Unit Manager Edwards responded that is staff's desire. The plan is voted on by a committee once a year and the plans are programmed from that vote. He does not believe there is any video detection left in Sandy Springs.

Council Member Sterling stated he wants the City to be part of the program. He is curious about the decision making process in how the money is split, because it does affect the jurisdictions. If there is a

way to help the system overall, he would agree to Dunwoody receiving more money. He would be willing to agree with the MOU, but he has not reached complete agreement with it.

Council Member John Paulson stated one of the distinctions is that the Dunwoody Traffic Management System (TMC) is not just for PCID. Their TMC and the City's does overlap in the PCID area.

Transportation/Traffic Unit Manager Edwards stated not only does Dunwoody need a TMC to control their traffic, they also have video cameras and other infrastructure.

Council Member Sterling stated he still thinks that having a single ChattComm like organization that handles traffic for both jurisdictions would make sense.

Council Member Paulson asked why Sandy Springs would want to control Dunwoody's traffic lights.

Council Member Bauman responded Sandy Springs would not want to, but having one location has more to do with infrastructure.

Council Member Sterling stated the City of Dunwoody has a kiosk in ChattComm, which would be similar to having one TMC.

Council Member Paulson stated emergency response is different than traffic coordination.

Council Member Bauman asked if our TMC will be relocated to the new City Hall.

Transportation/Traffic Unit Manager Edwards responded, yes that is the current plan.

Council Member Bauman stated he is not sure having one central TMC would make sense, but it is worth asking the question.

Mayor Paul stated as long as Dunwoody has the ability to control the traffic lights on their side it would be worth exploring, if money can be saved for both communities.

Assistant City Manager Bryant Poole stated staff can explore that option. An example of where the coordination occurs is Sandy Springs coordinates with Cobb County to try to move traffic through that area between and the City and Cobb County. It would be nice for both jurisdictions to communicate with each other.

Council Member Sterling asked what it would take in terms of cost and time to get the City to a level 4 traffic adaptive system for the entire City.

Transportation/Traffic Unit Manager Edwards stated by the end of 2017 the City will have 82 traffic signals running adaptive. That is out of the total number of 126 traffic signals. The City can run adaptive on 105 signals. The other signals are outliers or are not close enough to another traffic signal.

Council Member Sterling asked what it will take to get the other twenty-three traffic signals adaptive.

Assistant City Manager Bryant Poole stated that is a funding question. If Council would like to see this in the budget presentation, staff can arrange that.

Council Member DeJulio asked what the cost is per signal.

Transportation/Traffic Unit Manager Edwards stated the last ten traffic signals were done as City SCOOT 15 with travel time infrastructure and the cost was about \$300,000. That was using all City crews and doing the installation ourselves.

Council Member Sterling asked if the fiber infrastructure is in place to complete the 105 traffic signals.

Transportation/Traffic Unit Manager Edwards responded yes.

Mayor Paul asked Police Chief DeSimone to the front to discuss the police officers directing traffic in the City.

Police Chief Ken DeSimone stated Captain Craig Chandler is in attendance this evening who is in charge of the intersections throughout the City where police officers direct traffic. The PCID has been hiring police officers for over fifteen years. Six law enforcement agencies work the traffic in that area. This includes four Fulton County agencies, Georgia State Patrol, and Sandy Springs officers. There are eleven traffic control points on Peachtree Dunwoody Road, two on Hammond Drive, and two on Abernathy Road. Eight of the locations are PCID funded and six are privately funded by Northside Hospital, Cox Enterprises, and North Park office park. He handed out new detailed maps to Council. The main reason the officers are at the locations is to keep the intersections open and the block from getting blocked off. The other non PCID locations are for the businesses to be able to empty their parking decks.

Council Member Sterling stated he understands the directing of traffic at certain locations in order to empty the business parking lots. Over the years his issue has been the directing of traffic at the intersections.

Police Chief DeSimone stated from what he has been told, no matter how much is spent on technology, if the drivers do not follow the traffic lights, it does no good.

Council Member Sterling stated his concern is at Abernathy and Peachtree Dunwoody, because this location has a hill in both directions. The police officers have no way of knowing how much traffic is over the hill. They are sometimes guessing on the amount of traffic. This is one main area that is consistently clogged with traffic and he does not understand why. He is not convinced that placing officers at these locations to direct traffic is the best choice other than the example of keeping people out of the block. He asked if the police officers are talking to the TMC when directing traffic.

Police Captain Craig Chandler stated the police officers do not have direct contact with the TMC. The officers do communicate between themselves.

Council Member Sterling stated if the officers are communicating, they can have some indication of the traffic. Once the traffic is saturated, it is at saturation. He worries that those driving may be losing fifteen minutes on each side of the commute due to the officers directing traffic. This may hurt a lot of people, although it helps in regards to the safety of people.

Police Captain Chandler stated the drivers going down Abernathy are mainly headed towards GA400. Once they pass Abernathy, they are looking to go towards I-285. The drivers are spread out a little more, but that is because there is not a need. The officers are positioned in areas where the drivers are going in order to keep those areas of traffic moving.

Council Member Sterling stated the southbound traffic seems to be fine. Going towards I-285 he rarely sees traffic backups on Peachtree Dunwoody Road. On Peachtree Dunwoody going north the traffic is stacked up beyond Hammond Drive and beyond I-285. That is where there are issues with the stacked traffic lights and officers are directing traffic, instead of allowing the traffic lights to direct the traffic.

There may be a way to have the TMC have a direct link with the police officers directing traffic. He asked if this is done in other jurisdictions.

Assistant City Manager Poole stated the communications would be established through cell phones, if that is a need.

Council Member Sterling stated he understands the rationale, but he is not sure all tools are being used that are in place. He is trying to figure out a way to make traffic move better.

Police Captain Chandler stated staff is open to ideas on how to make sure the officers are keeping traffic going.

Police Chief DeSimone stated he was adamantly opposed to using the emergency lane for a flex lane on GA400. GDOT went ahead with it and there have been no problems up to this point. He does not believe there is any opposition from the other police jurisdictions and the lanes seem to work.

Mayor Paul stated there are a number of jurisdictions that have police officers directing traffic. If the City were to go to some sort of communications with the TMC, that would present a problem. If the City decided to go that route, would the City need to require that only Sandy Springs police officers be used.

Police Chief DeSimone stated there is no way to require that, because the City does not have enough police officers. The radios can be programmed to where everyone can communicate with one another.

Council Member Paulson stated it is probably not hard to have all officers communicating on the same channel. The challenge is will the technology work better if the officers are not directing traffic at these locations. He suggested not placing officers at the traffic locations for three to four days to see what happens.

Police Chief DeSimone stated next week there will be no officers at the locations due to the fact it is Thanksgiving week.

Council Member Paulson stated the only way to prove if the officers directing traffic helps out is by not having them at the locations to compare to when they are at the locations.

Police Chief DeSimone stated he worries about businesses such as Cox Enterprises and the amount of time it will take the employees to get out of the parking deck.

Council Member Paulson stated if the officers do not direct the traffic for three to four days, the City will then have data to address the issue.

Council Member Ken Dishman stated he saw traffic at the intersection of Ashford Dunwoody and I-285 when there was no officer. The drivers filled the box and it was miserable. It took him many light cycles to go about ten car lengths.

Council Member Sterling asked the Police Department to meet with the Public Works Department to see if there is a way to leverage the TMC with all the video cameras.

Motion and Vote: Council Member Sterling moved to approve Agenda Item No. 15-405.2, Memorandum of Understanding (MOU) By and Among the Cities of Dunwoody, Georgia and Sandy Springs, Georgia and Brookhaven, Georgia and Central (DeKalb) Perimeter Community Improvement District and Fulton Community Improvement District for the Georgia Department of Transportation's Perimeter Traffic Operations Program to be Administered within the Boundaries of the Central (DeKalb)

Perimeter Community Improvement District and Fulton Perimeter Community Improvement District (PCIDs). Council Member Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2015-11-132

NEW BUSINESS

8. **15-435** Consideration of Renewal of Agreement for the Gas South Municipal Alliance Program

Communications Director Sharon Kraun gave a Gas South Co-Market Program PowerPoint presentation.

Motion and Second: Council Member Sterling moved to approve Agenda Item No. 15-435, Renewal of Agreement for the Gas South Municipal Alliance Program. Council Member DeJulio seconded the motion.

Council Member Gabriel Sterling stated from the beginning Gas South has been a very good partner both in the community and with the City.

Vote on the Motion: The motion carried unanimously.

9. **15-436** Consideration of Approval of a Contract for Design and Related Services for the Community Development Block Grant (CDBG) Sidewalk Infrastructure Improvement Program Project

CIP Unit Manager Marty Martin stated this design contract award recommendation follows the next steps in the City's implementation of the CDBG program as framed in the annual action and strategic plans for the grant. The project that staff has asked for design proposals on is the design of a streetscape on the west side of Roswell Road from I-285 to Long Island as well as a complementary lighting project for lighting along Northridge Road to the Northridge interchange. In September, the City's purchasing department advertised a RFP. In October, the City received four responses to that request from the firms Mulkey Engineers, Michael Baker, Holt Consulting and QK4. An evaluation committee of staff scored the proposals and three firms were short listed as being best qualified. Last week the committee interviewed the finalists and made the recommendation to award the contract to Michael Baker, International, in the amount of \$470,669.

Motion and Second: Council Member Paulson moved to approve Agenda Item No. 15-436, a Contract for Design and Related Services for the Community Development Block Grant (CDBG) Sidewalk Infrastructure Improvement Program Project. Council Member DeJulio seconded the motion.

Council Member John Paulson stated he noticed the prices for the respondent's quotes are not listed and usually they are listed. He asked if there is a reason why they are not listed.

CIP Unit Manager Martin stated in this particular solicitation and selection method the City is required to follow certain rules. This process is qualifications based and the consultants were scored in the written proposal review and the interview process based on those qualifications. Once the best qualified estimate was opened, staff had the choice to compare that to the City's estimate. In this case, the total construction and right-of-way cost for this project is estimated at a little over \$3 million. This design estimate falls within that range for those services. The City staff could also choose to negotiate with that proposer once they reach an acceptable price, or move on to the next qualified bidder.

Council Member Paulson asked if Michael Baker was the winner of the process.

CIP Unit Manager Martin responded yes. After review of their proposal, they were found to be very consistent with their estimate for design services.

Council Member Ken Dishman stated his hesitation in offering a second is historically the City has used the funds for infrastructure for sidewalks, streetscape, and etcetera. He would like to see the City explore using the source of funds for redevelopment. He prefers to table this item. He does not have an alternative for Council today.

Assistant City Manager Jim Tolbert stated he understands what Council Member Dishman is saying, and long term that is a great idea that staff can explore. With HUD funds the City must spend the funds in a timely manner. There can be no more than 1.5 times the annual allotment on hand on May 1st of every year. One of the reasons staff came up with the idea of using the funds for the sidewalks is to get ahead on the engineering and to have timeliness for use of the funds. If Council approves this item and the engineering is in place, the City is not required to use CDBG funds. Other funds can be used to construct the City sidewalks. Staff will be speaking to the local HUD office about a Section 108 loan, so the funds can be aggregated in order to have more funds to work with.

Mayor Paul stated he has urged the City for about nine years to apply for a Section 108 loan. The reason is because those funds can be aggregated and larger projects can be accomplished. The loan is paid off from the City's annual appropriation. Redevelopment is a permitted use of CDBG funds for economic development in low to moderate income areas. There are areas where these funds can be used. He does not have a problem exploring that option in the future.

Assistant City Manager Tolbert stated in order to use the funds for other projects, the City's consolidated plan would have to be amended to include that type of project. That is something staff can do in the next cycle.

Council Member Sterling asked about the annual cycle.

Mayor Paul stated the City receives annual appropriations from Congress and then receives an annual allotment. The five year plan is where the City could receive a Section 108 loan from the program and then use the annual appropriations to pay that loan off. If the City chose that option, there would be no annual appropriations. That is one way to have enough funds to do significant projects.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2015-11-133

10. **15-437** Consideration of Approval of an Amendment to the Agreement Between Fulton County, Georgia, the Tax Commissioner of Fulton County, Georgia, and the City of Sandy Springs, Georgia for the Billing and Collection of Taxes and Fees

Finance Director Karen Ellis stated this is the first amendment to the agreement between Fulton County, the Tax Commissioner of Fulton County, and the City of Sandy Springs for their continued services of billing, collection, and reporting of the annual ad valorem property taxes. This amendment is an extension to the agreement that expires December 1, 2015. The extension will extend the agreement to 2025. The amendment is only for Section 4 as it relates to the effective date. There is no financial implication for this extension and staff recommends approval.

Motion and Second: Council Member Paulson moved to approve Agenda Item No. 15-437, an Amendment to the Agreement Between Fulton County, Georgia, the Tax Commissioner of Fulton County, Georgia, and the City of Sandy Springs, Georgia for the Billing and Collection of Taxes and Fees. Council Member Dishman seconded the motion.

Council Member John Paulson asked what happens at the conclusion of the current tax commissioner's term of office.

City Attorney Wendell Willard stated if a new tax commissioner is voted into office, the City will have to have a new agreement with the new tax commissioner.

Council Member Tibby DeJulio asked if this agreement has a clause about the fee going to the tax commissioner.

City Attorney Willard stated this agreement is not for a fee going to the tax commissioner. This is an agreement with Fulton County. The tax commissioner is a party to the agreement, since his office does the actual tax collection.

Council Member DeJulio asked about the tax commissioner receiving \$1 per parcel personally.

City Attorney Willard stated there is a separate agreement with the tax commissioner regarding that.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2015-11-134

REPORTS

Mayor and Council Reports

Council Member John Paulson stated yesterday he was "principal of the day" at the Dunwoody Springs Elementary School. He spent the morning and part of the afternoon with the school's principal. The school is doing very progressive things, such as a project based learning approach. This approach is applied to every grade level. The teaching does not involve just giving straight answers to questions. The teachers pose questions and treat it as a project and also ask the students about alternative ways to do things. The teachers challenge the students on how to think through the answers.

Mayor Rusty Paul stated he has been to some of the City's public schools and there are exciting things going on at the schools. He went to Ridgeview Middle School a few months ago and spoke to the 7th grade English class where each student had a cell phone or iPad. The teacher would place a question on the board and the students would answer the question on their device. The answers would immediately be totaled to see how many got the answer right. The teacher could see exactly how the students were doing and knew whether to move onto the next item or continue to discuss that topic.

Council Member Paulson stated another thing the teacher does is divide the class up by skill level and place the students in groups of four and five.

Mayor Paul stated he, along with Council Members Paulson and Bauman, attended the graduation of the new Sandy Springs firefighters on Friday. It was a great ceremony for a great group of people. This was in the first class the City offered for in house training. He thanked Fire Chief Sanders.

11. 15-438 Staff Reports

There were no staff reports.

PUBLIC COMMENT

Susan Gilchrist, 1028 Sugar Pike Way, Canton, GA, stated she is a co-owner of a condominium at Mount Vernon Towers. She asked Council to look up Moreno Valley, CA. A previous Councilman for that city found himself offering the FBI \$2.3 million in bribes, because he said he could swing the vote of that council to approve a land use. There was a comment made at the September Council meeting that Assistant City Manager Poole and staff will work with the Mount Vernon Towers property owners on the roundabouts that will take in excess of half an acre of the frontage of the property. She read an email from Assistant City Manager Poole that states in part, "I ask that any inquiries and suggestions that you have go through your Mount Vernon Towers Board and legal counselor first, who will then engage the City as needed." A second portion of the email reads, "Once all that occurs, all property owners within the project limits will be contacted and advised of our needs to begin the right-of-way negotiations with them." She stated she was basically told to wait and once the project is finalized, the residents will be told what they will need to surrender to the City. This does not sound like a government by the people or for the people. Perhaps somewhere the residents and taxpayers have been forgotten. She hopes that is not true. The lack of communication and transparency suggests that the project is moving forward without the input from those who are most affected. There are over 350 signatures collected on petitions regarding the project. Not one person has supported the roundabouts. She asked why the City continues to use graphics from November 2011 showing the location of one of the roundabouts at Bolyston. When a presentation was given on October 19, 2015 that information was antiquated. By continuing to display false information, the City has prevented residents from protesting the actual location. If Bolyston is to become a major north/south road, thus taking traffic off of Roswell Road, she asked why the current plan dead ends into the middle of the "dog bone". She asked if the City has offered to meet with any of the engineers from Mount Vernon Towers in offering some other options. A single lane roundabout was part of the original plan, but it grew to two roundabouts and a second lane. She asked why they felt it necessary to double the impact on this location. She asked why the planners made the error regarding the historic district and then did not make the correction by moving the second circle south. She asked for an email answer to those questions. Mount Vernon Towers would like to invite the developers of the roundabout, Mount Vernon Woods neighbors, and land owners within the rectangle...

Mayor Rusty Paul stated he does not mean to cut Ms. Gilchrist off, but she has exceeded her time limit. This project is a little difficult and different than most projects. The project involves federal funds for which the City is governed by the federal rules and regulations. The City would not do a City sponsored project the way this is currently being done. City staff is not allowed to speak to anyone about this process, the project, and the acquisition, because the City is prohibited from doing any negotiations under the federal rules. Under the federal rules, if the City has conversations with the property owners, that is considered negotiations. He dislikes this processes. One of the things Sandy Springs prides itself on is the transparency in the City's processes. Decisions may be made that residents do not like, but the City tries to communicate with the public, so they know what the City is thinking and planning, and then they can react accordingly. This is an unfortunate situation where the City does not have the freedom to do that.

Ms. Gilchrist asked how that information can be publicized to other people. The residents at the Towers do not understand why this is happening.

Mayor Paul stated as frustrating as this is to the residents, it is equally frustrating to the City and staff. The only thing he can do is tell Ms. Gilchrist what he just told her and hope that the message gets back to the community, since that is the extent of the conversation that can be held at this point.

EXECUTIVE SESSION

12. 15-439 There was no Executive Session.

ADJOURNMENT

13. **15-440** Adjournment

Motion and Vote: Council Member DeJulio moved to adjourn the meeting. Council Member Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 8:25 p.m.

Date Approved: December 1, 2015



Russell K. Paul, Mayor


Michael D. Casey, City Clerk